

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

ORIGINAL

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AVNER MALOUL and ALLEN LOWY,

Plaintiff,

**NOTICE OF MOTION TO
DISMISS COMPLAINT**

-against-

IVAN BERKOWITZ, GREAT COURT
CAPITAL, LLC, SD PARTNERS, LLC,
UTIX GROUP, INC., VSUS TECHNOLOGIES,
INC., and SUNSET BRANDS, INC.,

07 Civ. 8525 (LBS)

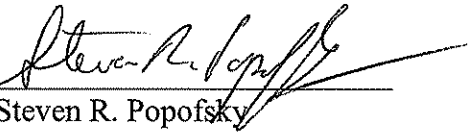
Defendants.
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PLEASE TAKE NOTICE that upon the accompanying memorandum of law, dated November 21, 2007, and the transmittal affidavit of Steven R. Popofsky, sworn to November 21, 2007, and the complaint in this action, annexed to the Popofsky Affidavit as Exhibit A, defendants Ivan Berkowitz, Great Court Capital, LLC and SD Partners, LLC will move this Court, pursuant to Federal Rule of Civil Procedure 12(b)(6), on December 27, 2007 at 2:15 PM, or as soon thereafter as counsel can be heard, for an order dismissing the complaint as against the moving defendants for failure to state a claim on which relief can be granted, and for such other and further relief as the Court deems warranted; and

PLEASE TAKE FURTHER NOTICE that pursuant to the agreement of counsel for the respective parties to this motion, plaintiffs' answering papers shall be served so as to be received by the close of business on December 17, 2007, and defendants' reply papers shall be served so as to be received by 12:00 noon on December 26, 2007.

Dated: November 21, 2007

GERSTEN SAVAGE LLP
Attorneys for Defendants Ivan
Berkowitz, Great Court Capital, LLC
and SD Partners, LLC

By: 
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